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**PRELIMINARY DRAFT**  
**No. 3417**

**PREPARED BY**  
**LEGISLATIVE SERVICES AGENCY**  
**2006 GENERAL ASSEMBLY**

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**DIGEST**

**Citations Affected:** IC 36-3-2-12.

**Synopsis:** Nepotism in Marion County political subdivisions. Provides that after June 30, 2006: (1) a relative of a member of a board, committee, council, or commission, or head of a department, office, or institution of a Marion County political subdivision may not be employed by the board, committee, council, commission, department, office, or institution or receive compensation from an appropriation; and (2) an individual may not be in a direct supervisory or subordinate relationship with a relative. Provides that compliance with the statute does not require the termination or reassignment of an employee of a political subdivision from a position held by the employee before July 1, 2006.

**Effective:** July 1, 2006.



A BILL FOR AN ACT to amend the Indiana Code concerning local government.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 36-3-2-12 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: **Sec. 12. (a) This section applies after June 30, 2006.**

**(b) As used in this section, "relative" means:**

- (1) a husband;**
- (2) a wife;**
- (3) a father;**
- (4) a mother;**
- (5) a son or son-in-law;**
- (6) a daughter or daughter-in-law;**
- (7) a brother;**
- (8) a sister;**
- (9) an aunt;**
- (10) an uncle;**
- (11) a niece; or**
- (12) a nephew.**

**(c) An individual who is a relative of a member of a board, committee, council, or commission or the head of any office, department, or institution may not:**

**(1) be employed in any position with the:**

**(A) board, committee, council, or commission of which the individual's relative is a member; or**

**(B) office, department, or institution that is headed by the individual's relative; or**

**(2) receive any compensation for services from any appropriation by a political subdivision subject to this chapter.**

**(d) An individual may not be employed in a position in which the individual would have a direct supervisory or subordinate relationship with the individual's relative.**

**(e) This section does not apply to the following:**



1           (1) An individual employed in the same position with the  
2           board, committee, council, commission, office, department, or  
3           institution for at least twelve (12) consecutive months  
4           immediately before the appointment or election of the  
5           individual's relative as a member of the board, committee,  
6           council, or commission or head of the office, department, or  
7           institution.

8           (2) The employment of any police officer or firefighter who is  
9           under the jurisdiction of a merit commission established  
10          under IC 36-8-3.5.

11          (f) This section does not require the termination or  
12          reassignment of any employee of a political subdivision from any  
13          position held by that individual before July 1, 2006.

